

EMERGENCY TELEPHONE SERVICE COMMITTEE MEETING
Michigan State Police Training Academy
Lansing, Michigan
July 26, 2000
10:00 a.m.

MEMBERS PRESENT	REPRESENTING
Lt. Col. Stephen Madden, Chair	Department of State Police
Sheriff Richard Germond, Vice Chair	Michigan Sheriffs' Association
Mr. John Buczek	Fraternal Order of Police
Ms. Suzan Hensel	Assn. of Public Safety Communications Officials
Mr. Paul Hufnagel	Michigan Professional Firefighters Union
Mr. Don Jensen	Michigan Association of Counties
Mr. Nathan McClure	National Emergency Number Association
Ms. Marilyn Moore	Michigan Public Service Commission
Mr. Charles Nystrom	Public Member, House Appointed
Mr. John Patrick	Department of Consumer and Industry Services
Chief Fred Rogers	Michigan Association of Chiefs of Police
Ms. Christina Russell	Michigan Communications Directors Association
Ms. Suzanne Springsteen	Telecommunications Association of Michigan
Mr. Scott Temple	Commercial Mobile Radio Service
Lt. Mike Zorza, rep. Mr. Robert Struck	UP Emergency Medical Service Corp.
Chief Paul Trinka	Michigan Association of Fire Chiefs

MEMBERS ABSENT	REPRESENTING
Mr. Don Adams	Michigan Association of Ambulance Services
Chief William Corbett	Public Member, Senate Appointed
Tpr. David DeVries	Michigan State Police Troopers Association
Lt. Jim Hull	Deputy Sheriffs' Association
Mr. John Hunt	Public Member, Governor Appointed

This meeting of the Emergency Telephone Service Committee (ETSC) was convened by Lt. Colonel Madden at 10 a.m.

APPROVAL OF MINUTES

MOTION to approve the minutes of the May 24, 2000, ETSC meeting. A vote was taken and the MOTION CARRIED.

REPORTS

A. REPORT OF THE CHAIR

Committee Membership

The Telecommunications Association of Michigan appointed Ms. Suzanne Springsteen to serve as its representative to the ETSC, replacing Mr. Robert Reynolds who retired. Lt. Colonel Madden welcomed

Ms. Springsteen to her first ETSC Meeting.

Mr. Nate McClure announced that he will be leaving his current position with Muskegon County Central Dispatch effective July 31, 2000, to accept a position in the private sector. Mr. McClure will also resign as the NENA representative to the ETSC effective this same date. Mr. McClure volunteered to continue his position as chair of the Dispatcher Training and Certification Subcommittee until the subcommittee's recommendations have been accepted by the ETSC. Committee members accepted Mr. McClure's gracious offer. Lt. Colonel Madden thanked Mr. McClure for his service to the ETSC and the 9-1-1 community in Michigan over the past several

years. Mr. McClure's leadership has helped bring the ETSC where it is today. He was very actively involved in the committee's 1998-1999 legislative efforts.

Distribution of Funds to Counties

Committee members were provided with a copy of the letter that was sent to the Department of Treasury certifying 82 counties as eligible to receive funds for first-year distribution. Only Gogebic County was not certified as it does not have a final 9-1-1 plan in place.

First quarter distribution to counties totals \$1,352,297. Checks should be mailed to counties within the next day or two. A copy of the Department of Treasury's report of distribution amounts by county was distributed to the committee. Second quarter distribution is estimated to be \$2,079,408 and is expected to be made around the end of August 2000. The Department of Treasury report for August has not been finalized; however, a copy was distributed to committee members in draft form.

In order to better track the implementation of Phase I, a letter will be sent to counties asking them to notify the ETSC when they submit their request for service to CMRS providers.

Requirements for Second Year Certification

Section 409 (4) of the emergency telephone service enabling act states: "Beginning 1 year after the effective date of this section, a county is not eligible to receive disbursements under subsection (1) (b) or (c) unless the county is in compliance with the wireless emergency service order and this act." The ETSC has repeatedly been asked how 9-1-1 plans may be effectively amended to bring them in line with the 1999 changes. Based on advice received from the Attorney General's office, Lt. Colonel Madden offered the following motion:

MOTION by Lt. Colonel Madden: "It is the interpretation of the ETSC that an existing final 9-1-1 service plan may be amended to include implementing the wireless emergency service order, provided that the amendment(s) follow the procedural steps described in Sections 301-310 of 1986 P.A. 32, as amended, in its entirety."

Mr. Nystrom questioned whether the motion should indicate that the service plan "must" be amended rather than "may" be amended. It was pointed out that those counties that have recently drafted their first 9-1-1 service plan and included wireless implementation do not need to amend their plans. Other counties have already reopened their plans to include wireless. After discussion by the committee, Mr. McClure offered the following amended motion with clarifying language:

AMENDED MOTION BY MR. MCCLURE: "A county must have in place a final 9-1-1 service plan which includes implementation and compliance with the wireless emergency service order and 1986 P.A. 32, as amended. It is the interpretation of the ETSC that an existing final 9-1-1 service plan may be amended to include implementing the wireless emergency service order, provided that the amendment(s) follow the procedural steps described in Sections 301-310 of 1986 P.A. 32, as amended, in their entirety." MOTION CARRIED UNANIMOUSLY.

Correspondence will be forwarded to counties and PSAPs advising them of the committee's position on this matter. A subcommittee will be established to review final 9-1-1 service plans for compliance for second year certification. Subcommittee members include Ms. Hensel (chair), Mr. Nystrom, Mr. Temple, and Mr. Steve Todd. Others interested in participating are asked to contact Ms. Hensel or Ms. Linda Cwiek.

Letter from Midland County

Lt. Colonel Madden shared with committee members a letter received from Mr. Lawrence Smith, corporation counsel for Midland County. Mr. Smith requests the committee's "interpretation of Section 484-320 as it impacts an authority created before the 1994 amendments, which remains out of compliance with those amendments." Lt. Colonel Madden advised this letter has been forwarded to the Attorney General's Office for assistance and advice in responding to this inquiry.

2-1-1; 3-1-1; 5-1-1; 7-1-1

Recently passed state HB 5721 includes the provision that the Michigan Public Service Commission (MPSC) assign the telephone digits 2-1-1 to community resource information and referral answering points. The new legislation is being reviewed by MPSC at this time.

On July 21 the Federal Communications Commission (FCC) approved the designation of 2-1-1 to be used by community service organizations, including the United Way, to help the public obtain free information about shelters, food programs, counseling services, and battered women's shelters; 5-1-1 for travel-related information, including road construction and congestion points; and 7-1-1 to connect the hearing and speech impaired on landline, wireless, or pay phones with operators to help them carry out conversations with others. At this point, it is too soon to determine the impact in Michigan.

The City of Detroit has implemented 3-1-1 as a non-emergency contact number for public safety services. The calls ring into the Telephone Crime Reporting Unit of the Detroit Police Department. Lt. Colonel Madden asked Ms. Helen Everett from the Detroit Police Department to provide him with information regarding this program and how it's working.

It was also reported that Saginaw County just approved the use of 2-1-1 and 3-1-1.

Mr. Mike Sexton, Ameritech, volunteered to have someone from Ameritech contact Lt. Colonel Madden to provide information on the technical aspects of implementing 3-1-1.

B. POLICY SUBCOMMITTEE (Policy E Revision)

Policy E originated several years ago as the result of a primarily law enforcement concern between sheriffs and the state police. The word "appropriate" was included in the legislation to clarify the intent of "closest." For example, it would not be appropriate to dispatch city police officers to calls outside the city limits where they have no jurisdiction.

The Policy Subcommittee was charged with reviewing Policy E to determine whether it should be revised to better address issues involving fire and EMS dispatching. Mr. Paul Rogers provided the subcommittee's report and their proposed revision to Policy E. Considerable debate occurred at the subcommittee level before the draft was finalized. The proposed revision indicates that local contractual agreements between municipalities and ambulance/fire services may need to be taken into account when dispatching emergency services, and clarifies that the Public Health Code cites are included as references only.

A lengthy discussion was held at this meeting with comments offered, by both ETSC members and audience members, regarding Policy E and the potential impact of the revised language. Mr. Rogers clarified that the intent of the change is to recognize that local dispatch centers must take into consideration binding contracts. For example, if a jurisdiction has a millage that promises its citizens a certain number of ambulances, that jurisdiction cannot send an ambulance outside its jurisdiction if it would cause their number of ambulances to drop below the guaranteed number.

Several committee members and attendees expressed their belief that the existing policy is sufficient and no revision is needed. Mr. Patrick advised that he believes the proposed revision is in conflict with the rules of the Health Facilities Services Administration, Emergency Medical Services. He stated that the existing Policy E, along with the medical control authority and Department of Consumer and Industry Services rules, are sufficient direction to enable dispatch centers to make appropriate decisions. Sheriff Germond and Lieutenant Zorza stated that decisions regarding level of service and where it comes from should be made at the local level. Local communities, 9-1-1 boards, and medical control authority boards should make these determinations. Ms. Cathy McCormick, Communications Director for Community EMS, read a statement into the record urging the Committee to carefully consider why it is "contemplating changing something that does not appear to be broken." (A complete copy of Ms. McCormick's statement is on file and available for review upon request.)

MOTION by Mr. McClure that this matter be tabled. MOTION CARRIED.

C. DISPATCHER TRAINING AND CERTIFICATION SUBCOMMITTEE

Mr. McClure provided the subcommittee's report. The original proposal drafted by the subcommittee was determined to be too costly to implement. Mr. McClure and Ms. Russell met with Lt. Colonel Madden, Mr.

Ray Beach, and Ms. Cwiek on June 19 to discuss alternatives. Revised recommendations have been prepared and circulated to subcommittee members and they will meet following this ETSC meeting. Mr. McClure hopes to be able to present finalized recommendations to the full ETSC for adoption at its next meeting.

The model under consideration provides for reimbursement for tuition costs only. The amount of available funds would be published semiannually. The ETSC, upon recommendation of the Training Subcommittee, would establish a list of eligible classes and forward it to MCOLES for certification in compliance with the legislation. Agencies would then submit evidence of compliance along with requests for reimbursements. Due to the limited funds available, it is being recommended that reimbursements be made for tuition only; travel expenses would not be eligible for reimbursement. This will also reduce the opportunity for misuse of funds and reduce administrative costs.

D. WIRELESS IMPLEMENTATION SUBCOMMITTEE

Ms. Hensel provided the subcommittee's report. ETSC members were provided with: (1) a sample letter of a formal request for Phase I implementation to be sent to CMRS suppliers; (2) a wireless implementation checklist; and (3) a draft service agreement. The subcommittee recommends these three documents be distributed to counties and PSAP managers for their use.

The sample letter and wireless implementation checklist were approved by the committee for distribution. Considerable discussion followed regarding the draft service agreement. The purpose of the document is to provide a workable product that counties can use to assist them in the implementation process. Service agreements are not required as part of the implementation process, however, this draft can serve as a guide for those who are interested in entering into one.

During the subcommittee's work on this document, the CMRS providers supported the overall intent of the draft, but expressed their strong disagreement to Article III and Attachment 1, Section 1 (k). A motion was made at the subcommittee meeting to not distribute this document today, but the motion failed.

Letters were submitted to the ETSC from SBC Wireless, Inc. and AT&T Wireless Services expressing their strong objection to including this language in the draft service agreement.

At issue is a disagreement over which entity is responsible for the wireline trunks that interconnect the PSAP to the local exchange carrier's (LEC) router. The draft service agreement could be interpreted to mean that these costs are the responsibility of the wireless carrier. CMRS suppliers strongly disagree. Mr. Temple provided a brief technical overview of the issue. The CMRS position is that their responsibility ends at the LEC's router and that this equipment must be the responsibility of the PSAP. Mr. Temple stated that the precedent nationally is that this cost is the responsibility of the PSAP. Additionally, in support of his position, he quoted 1986 P.A. 32, as amended, Section 303 (3):

"The tentative 9-1-1 service plan shall require each public agency operating a PSAP under the 9-1-1 system to pay directly for all installation and recurring charges for terminal equipment, including customer premises equipment, association with the public agency's PSAP, and may require each public agency operating a PSAP under the 9-1-1 system to pay directly to the service supplier all installation and recurring charges for all 9-1-1 exchange and tie lines associated with the public agency's PSAP."

Mr. Lloyd Fayling, Genesee County Central Dispatch, inquired as to whether the subcommittee considered whether the technical surcharge would cover this cost. Mr. Mike Sexton, Ameritech, responded by stating that when a PSAP requests a system design change, some of the cost is passed on to the PSAP and some is borne by the LEC. If the cost of adding trunks is passed off as a technical cost, it may raise the technical surcharge assessed and the cost would be passed on to all wireline users in the county.

This appears to be a more significant issue for metropolitan areas. Seven Michigan counties have implemented Phase I without this additional cost, however, these are primarily rural counties. Ms. Patricia Coates, Oakland County, advised that their county's corporate counsel was asked to review the law. Their counsel's position is that the FCC order requires wireless carriers to deliver the call to the PSAP. They believe additional cost for trunklines in those larger counties that need to keep separate networks could exceed the amount of the county's available wireless funds and that wireless carriers can submit these costs to the ETSC for reimbursement.

Some counties are considering putting in separate trunklines to handle wireless calls to eliminate clogging the existing wireline network. The National NENA president, Norm Forshee, has stated that there may not be a need to add trunklines, as PSAPs "set the choke." Adding trunklines would also require additional

trunk cards, consoles, etc., to handle the extra lines. There are workable solutions within a PSAP's existing network. Mr. Steve Todd, Ottawa County 9-1-1 Director and President of the Michigan Chapter of NENA, stated that he would not recommend a separate network that bypasses the existing network. National NENA cautions PSAP's to move carefully on this. The existing network can, for the most part, carry the load without a separate dedicated network.

Mr. Fayling asked if an additional trunkline could be added in the future, if the need is identified, and paid for with technical surcharge money. Mr. Sexton indicated that it could, based on the law today.

Lt. Colonel Madden stated that any service agreement must be negotiated between the county/PSAP and the industry. This document is a draft only. He suggested the committee consider two options: eliminate the objectionable sections from the draft or send the draft out in its current form with the two CMRS letters of objection attached. Mr. Temple supported distribution of the document with a notation expressing the CMRS objections and the CMRS letters attached. Sheriff Germond objected to including the letters. It was suggested that a caveat be added to the draft that indicates the CMRS objections to the cited sections and encourage users to consult their attorney.

MOTION by Mr. McClure that the ETSC accept the sample letter of a formal request for Phase I implementation, wireless implementation checklist, and draft service agreement with the caveat included addressing the CMRS suppliers' concerns, and forward the three documents as a model to counties and PSAPs. MOTION PASSED UNANIMOUSLY.

E. CMRS SUBCOMMITTEE REPORT

Lt. Colonel Madden advised that no CMRS invoices have been received to date.

DISCUSSION

A. LISTING OF APPROPRIATE WIRELESS EXPENDITURES

Lt. Colonel Madden strongly encouraged the ETSC to approve putting together a list of appropriate expenditures for wireless funds. Lt. Colonel Madden believes this list will provide critically needed guidance to local communities and assist in simplifying the audit process.

MOTION by Lt. Colonel Madden that the Wireless Implementation Subcommittee be charged with developing a list of appropriate expenditures for wireless funds which, upon approval of the full ETSC, can be distributed to counties and PSAPs. MOTION CARRIED UNANIMOUSLY.

Ms. Hensel requested constructive comments on this issue be forwarded to her attention in a timely manner.

In response to questions from the audience, Lt. Colonel Madden clarified that counties must be able to track how their wireless funds are spent. Systems should be put in place now to ensure these funds can be appropriately tracked. Mr. Paul Rogers, Eaton County Central Dispatch, asked if the Department of Treasury has given any indication if wireless funds need to be accounted for separately. A Department of Treasury representative present at the meeting offered to check on this.

PUBLIC COMMENT

Telephone System Programmed to Dial 9-1-1

Mr. James Fyvie, Clinton County Central Dispatch, reported that there is an assisted living center in Clinton County interested in using a telephone system that automatically dials 9-1-1, then gives the dispatcher the option of pushing the "5" button on the console to activate an open speaker with the caller. Current Michigan law appears to prohibit such a system and Mr. Fyvie has taken the position that the call should be directed to a private central routing system where a determination can be made as to whether 9-1-1 should be contacted.

NEXT MEETING

Wednesday, September 6, 2000, beginning at 1 p.m. in the Educational Building, Ralph A. MacMullen Conference Center, Higgins Lake.

The meeting adjourned at 12:45 p.m.

Approved:

Stephen D. Madden, Chair
Emergency Telephone Service Committee